

CHAPTER NO. 292

HOUSE BILL NO. 1001

By Representatives McMillan, Russell Johnson, Lois DeBerry, Maddox, Todd, DuBois, Bone, Davidson, Curtiss, Mike Turner, Henri Brooks, Litz, Yokley, Gresham, Vincent, Bittle, Shaw, Brenda Turner

Substituted for: Senate Bill No. 1282

By Senators Kurita, McNally, Fowler, Graves, Kilby, Herron, Crowe, Burks, Dixon

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 13 and Title 10, Chapter 7, Part 5, relative to registration of instruments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 10, Chapter 7, Part 5, is amended by adding the following as appropriately numbered new sections:

Section 10-7-5__.

(a) Any veteran of the United States Armed Forces, or such veteran's surviving spouse, attorney-in-fact, personal representative or court appointed guardian, may request that a county register of deeds remove from the official records held in such register's office, excepting records preserved on microfilm, any of the following record forms: DD-214, DD-215, WD AGO 55, WD AGO 53-55, NAVMC 78-PD, NAVPERS 553, or any other military discharge, or alternatively may request that the veteran's social security identification number be redacted from any such military discharge record if such records are stored in a manner that permits redaction.

(b) The request for removal of a military discharge record or redaction of a social security identification number from a military discharge record in the office of the county register of deeds pursuant to subsection (a) herein shall be made on a paper writing in a form substantially as follows:

REQUEST FOR REMOVAL OF MILITARY DISCHARGE OR
REDACTION OF SOCIAL SECURITY NUMBER FROM A
MILITARY DISCHARGE

1. Full Name of Veteran:

2. Name of Person Making Request:

3. If not the Veteran making the Request, identify the legal relationship that entitles the Person Making Request to make the Request: (check one)

a. Surviving Spouse____

b. Attorney-in-fact____

c. Personal Representative____

d. Court Appointed Guardian____

4. Check (a) or (b)

(a) Request Removal of Military Discharge Record

(b) Request redaction of social security identification
number on Military Discharge Record (if practicable)

5. _____ Type of Military Discharge
Record_____

6. Book and Page Number or other Reference identifying where
the Military Discharge Record is recorded in the _____
County Register's office:

Book No. _____ Page No. _____ or

No. _____

7. Signature of Person Making Request:

State of Tennessee

County of _____

Personally appeared before me, (person duly authorized
to take acknowledgments in [_____] county, the
within named _____, with whom I am personally
acquainted (or proven to me on the basis of satisfactory
evidence) and who acknowledges that such person
executed the within instrument for the purpose of making
a request of the Register of Deeds of _____,
County, Tennessee, to remove a military discharge
record or redact a social security identification number
from a military discharge record, excepting microfilm
records.

Witness my hand this ____ day of _____,
20 ____.

(signature of person taking
acknowledgement)

[Space for Seal of Office]

(c) The completed request form as provided in subsection (b)
herein is eligible for recording in the office of the county register of deeds
where submitted. The register has no duty to inquire beyond the
acknowledged request to verify the identity or authority of the person
requesting the removal. Upon recording the written request, the county
register shall act in accordance with the request to either remove the

military discharge record identified in the request from the records of the office, except microfilm records, or redact the social security identification number from a military discharge record recorded in the office of the county register if practicable. If redaction is requested and is not practicable, the county register shall not record the request and shall verbally or by writing explain to the person making the request why redaction is not practicable and state that the person may instead request the removal of the military discharge record from the records of the county register.

Section 10-7-5__. A county register shall not cause a military discharge record recorded in the office of the county register to be viewed over the Internet except through a subscription service approved by the county register.

Section 10-7-5__. The preparer of any document recorded in the office of the county register of deeds shall not place a social security identification number on any document filed or recorded in the office of the county register of deeds, other than a power of attorney. However, the county register shall not refuse to record a document for failure of the preparer to comply with the prohibition contained in this section regarding use of social security identification numbers; nor shall the failure to comply with such prohibition affect the validity or recordability of any document.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 21, 2003


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 6th day of June 2003


PHIL BREDEZEN, GOVERNOR